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**From:** Scianni, Melissa [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=96DF5A77C72A4D109141A14DCF9E5C9B-MSCIANNI]  
**Sent:** 3/19/2019 11:17:47 PM  
**To:** Fitzgerald, Megan [fitzgerald.megan@epa.gov]  
**Subject:** instrument language

Colorado Lagoon:

Each creditable acre of the Bank will only be transferred once, i.e. no one acre can be used twice for compensatory mitigation purposes regardless of which IRT agency uses the Credit. No more than 22.53 Credits will ever be Released or Transferred from the Bank.

Peterson Ranch:

The Credits in each of the following tables overlap but are non-additive. Overlapping credits are bundled and the transfer of any one credit type that overlaps with another will result in a debit to both credit types; any other types of overlapping credits that exist over the same acreage will no longer be available for transfer. No more than 3,697.24 total credits can be transferred from the Bank from across all credit categories. A credit crosswalk table will be used to track transfer of overlapping credit types and is included in Exhibit F-1.2.

I'd recommend saying the total number of credits that can be transferred, in addition to saying that credits may not be sold twice. You might want to also include some language about each acre only being credited once.

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